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ABSTRACT

This paper lays out a performance-based model to better leverage the mission and power of school boards toward improving student learning. It moves beyond discussions about whether boards should be elected or appointed, instead arguing that mode of selection is less directly responsible for board success than clarity and focus about its mission and its role. The paper examines key issues and provides recommendations for school reform. The paper is organized into three parts: part 1, "Why the Existing Structure of Oversight Does Not Promote School Performance"; part 2, "What Performance-Focused Oversight of Schools Would Entail"; and part 3, "How the Missions and Activities of School Boards and District Central Offices Must Change." The paper concludes with a table, supplemented by text, on governance alternatives, and a table, also supplement by text, that compares board missions under two new governance models. The paper ends with a brief discussion of responsibility and accountability in light of recent educational legislation. (Contains 29 endnotes and 2 tables.) (WFA)

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School Boards

Focus on School Performance, Not Money and Patronage

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Progressive Policy Institute
21st Century Schools Project

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Preface

Everyone, it seems, from Mark Twain to contemporary education analysts, has an opinion about school boards. This isn't surprising, because school boards are one of the most obvious manifestations of our democracy at a local level. Americans rightly consider local input about public school governance important, and disputes about local educational decisions, even among interested non-parents, are common from Key West, Fla. to Vancouver, Wash.

While many school boards ably rise to educational challenges, more than a few are something of a paradox. Participation in local school board elections is generally low, and many boards are locked into destructive habits precisely because local political pressures prevent objective decisionmaking and dispassionate analysis. Many boards are at once "public" in theory and profoundly un-public in their orientation and operations. The obvious victims are the youngsters, whose education is too often held hostage to various political agendas promulgated by conservatives and liberals alike. But school board politics and dysfunction can also create numerous challenges for school principals, superintendents, and teachers.

In this insightful paper, education governance expert Paul Hill lays out a performance-based model to better leverage the mission and power of school boards toward improving student learning. Hill moves beyond discussions about whether boards should be elected or appointed, instead arguing that mode of selection is less directly responsible for board success than clarity and focus about its mission and roles.

There are more than 14,000 public school districts around the country and their diversity is one of the strengths of our system of public education. The principles and ideas that Hill lays out are noteworthy for their applicability in this varied environment. There is not a silver-bullet model, but Hill examines key issues and makes salient recommendations for reform. School board members, educators, and policymakers will benefit from Hill's work and analysis.

This paper was supported by a generous grant from The Broad Foundation, a Los Angeles-based entrepreneurial grant-making organization whose mission is to dramatically improve K-12 urban public education through better governance, management, and labor relations. Eli and Edythe Broad, who have invested more than $400 million in efforts to improve America's public schools, started the foundation in 1999. **More information about The Broad Foundation can be found in the back of this booklet or at *www.broadfoundation.org*.**

The 21st Century Schools Project at the Progressive Policy Institute works to develop education policy and foster innovation to ensure that America's public schools are an engine of equal opportunity in the knowledge economy. Through research, publications and articles, and work with policymakers and practitioners, the project supports initiatives to strengthen accountability, increase equity, improve teacher quality, and expand choice and innovation within public education.

The goals of the 21st Century Schools Project are a natural extension of the mission of the Progressive Policy Institute, which is to define and promote a new progressive politics for the 21st century. PPI's core philosophy stems from the belief that America is ill-served by an obsolete left-right debate that is out of step with the powerful forces reshaping our society and economy. PPI believes in adapting the progressive tradition in American politics to the realities of the Information Age by moving beyond the liberal impulse to defend the bureaucratic status quo and the conservative bid to dismantle government. More information on PPI is available at *www.ppionline.org*.

Andrew J. Rotherham
Director, 21st Century Schools Project
January 2003

School Boards

Focus on School Performance, Not Money and Patronage

Every state has a big book of laws and regulations governing public schools. This book makes a great prop for a speaker advocating school reform. How can teachers and principals do their jobs when they are burdened by this tome (or in the case of California, this wheelbarrow load) of regulations?

Big city school districts can be attacked in the same way. If (as was recently done in an Eastern city) principals save all the directives they receive from the central office in one 180-day school year, the stack can include as many as 400 items, all signed by a high official and issued under the authority of the school board. How can anyone direct the instructional program of a school and still comply with two new directives every day about how money is to be spent, time is to be used, employees are to be supervised, records are to be kept, or property is to be managed?

These speakers' tricks work because they have a point. Lay persons are shocked to see the documents that regulate schools and instinctively understand that they must be loaded with provisions that do something other than promote school performance.

Most state governments and big-city school boards impede the education of public school students by overregulation. They do so because of the politics of public spending. When there is tax money at stake, regulations are needed to prevent complaints about unfair allocation or inappropriate spending.

Local school boards meet frequently, sometimes more than once each week, and produce a steady stream of policies and initiatives. They spend the bulk of their time on budgetary and personnel issues and on resolving complaints, leaving little time for oversight of instruction or even reviewing data about school performance.

Should Americans be content with the principle that government oversight follows money and jobs? This paper argues to the contrary, that government regulation and oversight are now both excessive in one dimension (budgetary) and shockingly negligent in the other (school performance). It concludes that the work of local school boards can be focused on what children need to know and whether the schools are teaching it effectively. The report has three parts:

- **Why the existing structure of oversight does not promote school performance;**
- **What performance-focused oversight of schools would entail; and**
- **How the missions and activities of school boards and district central offices must change.**

Many people, this author included, have argued that school boards might be less driven by patronage and interest group demands if members were selected differently, either via mayoral appointment or citywide (vs. neighborhood-based) elections.[1] These changes can have positive effects: Clearly, Cleveland's mayor-appointed board is less politically divided than the previous elected boards. Similarly, Seattle's school board, all of whose members are elected citywide, is much less fractious than constituency-based boards in some otherwise-similar cities (e.g. San Francisco). However, it is possible to identify appointed and citywide boards that do not work so well, and even to find instances where cities with appointed or citywide boards are dissatisfied and looking for something else.

Board members' mode of selection is important, but what really matters is the board's basic powers and mission.

In its final sections, this paper proposes ways of transforming public school oversight so that everything depends on performance. It shows how the work of schools can be focused on student performance above all else. It also shows how school board roles can be redefined so that they, too, can focus on school performance. Options include limiting board powers (so that they are no longer directed by opportunities to dispense patronage and pressures to "fix" problems on behalf of influential constituents) and subjecting

boards to performance contingency (so boards that fail to provide good schools are decommissioned, and multiple boards can compete in one geographic area).

Why the Existing Structure of Oversight Does Not Promote School Quality

As Richard Elmore has recently written of our public education system, "It would be difficult to invent a more dysfunctional organization for a performance-based accountability"system.[2]

However trite, it is true that every organization is structured to do exactly what it is doing. This certainly applies to the complex and rickety virtual organization of state agencies and local school boards that oversee public education. This arrangement was created to respond to political demands, court orders, and the demands of organized interest groups. It does so beautifully, maintaining separate bureaus to administer programs established by court orders and acts of Congress, and maintaining a patronage structure to ensure that key interest groups have their own advocates within the political and bureaucratic units that oversee public schools.

State education agencies and local school districts are organized geologically, not logically. Their different geological layers represent eras of political and legal activity: layers established by the vocational education movement of the 1930s, the desegregation era of the 1950s and 1960s, the categorical program era of the 1970s, the education for handicapped children era of the 1980s, and the testing and accountability era in which we now live. As is usually true in government, few programs or initiatives ever go away entirely; they remain in some form, in permanent bureaus, with staff paid from federal program funds, and comprised of individuals who remain sentimentally and morally committed to them.

These layers remain even while new ones are formed. Today's standards and accountability offices do not replace the ones that came before, but only sit on top of them. Soon (in geological time) another layer might start forming above them as state and local agencies continue all existing activities while implementing the federal No Child Left Behind Act. This Act requires them to take on new tasks—creating alternatives for children in failing schools, informing parents about their options, and monitoring the admissions practices and performance of new schools of choice.

The layers laid down by different policy eras are neatly separated, but that does not mean their coexistence is benign. Every special bureau or office costs money, to the effect that in most public school systems less than half the money allocated for education is spent at the school level. These bureaus and offices also act independently on schools. Every one of them expects schools to deliver a specific service, offer special treatment to an identifiable group of children, account for the expenditure of a separate pot of funds, hire an identifiable staff member, and create special reports.

Some have argued that an excess of requirements and obligations is liberating, claiming that overregulated "street-level bureaucrats" cannot do everything demanded of them and can therefore choose duties according to their own priorities. By this mechanism, overregulation has the paradoxical effect of creating a freedom of action.[3] Indeed, there are examples of tough school leaders who ignore the myriad demands from above, reasoning that no one will care enough about any one act of noncompliance to punish them. However, the majority of principals report that they comply with as many demands on their time and attention as possible, hoping to minimize the risk of punishment from above. In education, at least, the wily street-level bureaucrat-principal exists, but most of her peers are constrained and confused by the cacophony of demands from above.

Every political and bureaucratic unit above the school makes its own demands. There is no central clearance mechanism to ensure that separate bureaucracies do not demand contradictory things, or that the sum of all demands is not greater than the schools' capacity to respond. That is how a district that pledges commitment to high-performing schools can nonetheless produce 400 separate directives to a school principal in a mere 180 days.

Local superintendents are expected to create school improvement strategies and discipline the bureaucracies beneath them. However, as most superintendents discover, the bureaucracies do not work for them.[4] Their nominal subordinates have firm political and economic bases—control of categorical funds, alliances with elected officials, support in local community or ethnic organizations, close ties with the teachers' union, etc. The business

of such bureaucracies is not to promote school quality, but to isolate problems and diffuse responsibility. A forthcoming report from the Center on Reinventing Public Education quotes two superintendents who find they cannot work effectively through their central offices:

> "The central office often doesn't believe in the changes we're trying to implement. We assign the central office these tasks because that's why they're there, but you have to get hold of the central office, which requires getting hold of the money it now controls."
>
> "It is not the enemy in front, but the people behind who eventually annihilate you."[5]

The hero-superintendent is an ideal seldom realized. The whole governance structure is tilted against strong executive leadership. Though some superintendents (e.g. Anthony Alvarado of New York City's District #2) can lead profound changes, they often build on rare and fleeting advantages—in Alvarado's case, his ability to offload uncooperative administrators and teachers to other districts in the larger New York City school system.

Big-city school boards are as layered and fragmented as the bureaucracies they oversee. Compared to the school boards of the early 20th century, which were dominated by white male professionals from Protestant backgrounds, today's school boards are more diverse in professional background, education, ethnicity, religion, and political persuasion.[6] Though minorities and poor people are still underrepresented, school boards increasingly resemble the student populations they serve.

Whatever the practical and symbolic value of diverse school board membership, it has increased, rather than decreased, the fragmentation of school districts. Different board members have their own concerns and loyalties. They pay attention to particular causes, programs, bureaus, interest groups, and teacher factions. Many board members are active in the same churches as prominent members of the district bureaucracy and senior members of the teachers union. These and other connections give school board members personal and political ties to parts of the education bureaucracy, which supply them with information in return for protection. Chief executives who try to streamline their bureaucracies soon find out about these ties.

The complex agency structures school boards have created for past political purposes now, however, channel and constrain the actions of their makers. Board committees are organized to parallel the bureaucracy, and meeting agendas are dominated by bureau proposals, budget requests, and progress reports. Board members seen as friendly can get cooperation from bureaus, but others cannot.

This paper is not the first to say that fragmentation is the core problem of public education governance. More than 10 years ago, Mike Smith and Jennifer O'Day criticized the lack of alignment among the rules, procedures, and agencies that oversee public schools.[7] Their solution was alignment: Create a clear set of school performance expectations, and then eliminate any rules or oversight mechanisms not necessary to support those expectations. Their idea became very popular, but was soon placed in the hands of state and local bureaucracies, who defined aligned sets of school performance standards and tests to measure performance, but did not eliminate any of the lower layers. This alignment became a competing imperative, not the dominant one.

"Alignment-based" reforms include the standards-based reform that has been at least officially endorsed in 49 states. Hoping to discipline the system rather than replace it, these reform initiatives left the political and bureaucratic structures of public education intact. Though standards have certainly entered the everyday lives of schools and have had many positive consequences, their implementation has largely worked within the constraints set by the system. Thus, though schools are expected to attain higher levels of performance, few control more money or have any greater freedom to adapt practice to children's needs than before standards-based reform was enacted. That is why many educators consider the demand that all children be educated to high standards unfair: They are expected to do dramatically better with the same people, money, time, and regulatory constraints. Thus, standards-based reform initiatives like those in Washington, California, and Maryland have never taken the crucial step of linking performance, good or bad, to consequences. Standards-based reforms have been remodeled to fit the system rather than the other way around.

After many years of effort, public school systems continue to be fragmented, politicized, and dominated by concerns other than school

performance. No one, not even people inside this system, approves of it. But when the chips are down, all the denizens of the system, starting with school board members, feel that others should change, not they. Everyone in the system frustrates and thwarts someone else, and is in turn frustrated and thwarted. The next section diagnoses this problem in more detail, with possible solutions noted at the conclusion of the paper.

What Stands in the Way of Performance-Focused Oversight

Simply put, a performance-focused school board would insist on performance above all else, and it would not require anything else of schools unless firmly linked to performance. Such a district might require some things, like the use of a particular teaching method, but could do so only on the basis of evidence linked to performance.

This definition begs for elaboration. Would a district define performance only in terms of student test scores? Probably not. A serious district would have in mind students' ultimate outcomes, like ability to enter higher education, get and keep good jobs, and participate in community life. And it would try to measure these outcomes in some way and judge itself accordingly. But a district would probably use some tests of students' skills and rates of learning as best-available proxies for the outcomes ultimately desired.

Would a district allow teachers and schools to use any methods they pleased, until such time as they were proven beyond a doubt to be totally useless? Again, probably not. Even when faced with uncertainty, prudent districts would demand that highly unusual practices be founded on some prior evidence, and apply special scrutiny to them.

Would such a district be determinedly agnostic about what works until one method was proven beyond doubt to be best in all cases? Probably not; The a district would need to apply clinical, rather than scientific principles to its methods, going with the best available evidence even if it is not totally conclusive. Thus, a district might have some norms of practice. However, since it is focused on performance above all else, such a district must always be alert to the possibility that the current standard practices can be improved, and that they might not apply well in particular circumstances.

A performance-based district would be a problem-solving organization, always looking for a better way. It would avoid any commitments or practices that made it blind to the current failings of its schools or made it difficult to follow a better way if it were available.

Such a district would have to avoid three traps:

- ***The trap of accumulated entitlements.*** Demands for job security for teachers and other employees, and continuation of favored programs regardless of their effectiveness.

- ***The trap of opaqueness.*** Once programs are established, their official sponsors have an incentive to defeat public scrutiny about how they are administered, how they are working, and what they cost.

- ***The trap of false certainty.*** Individuals favoring specific programs over-promise in order to gain support for them; and once a political body adopts a proposal it, too, has an incentive to claim that its success is much more certain than it is.

All organizations can fall into these traps, but school districts are particularly vulnerable.

With respect to the *trap of entitlements*, school districts are rigidly structured, not because of any technical realities that demand things be done in certain ways, but because of legal and contractual arrangements that protect certain groups. Federal categorical programs and some court orders require that money be used and services delivered in certain ways, not because these have been proven the most effective, but because they are the easiest for compliance monitors to verify. Teachers are hired and allocated to schools centrally, are paid according to seniority rather than performance, and are guaranteed tenure after only a few years of non-disastrous performance—not because those provisions support performance, but because unions have won them as bargaining concessions. Central offices are divided into many separate monitoring and service units, each of which controls certain funds and makes its own demands on schools, not because that is the best way to help schools but because it reflects the demands of different funding sources. Terry Moe has explained this rigidity best: Groups that gain control of a policy or pot of money try to perpetuate their advantage by encoding it in laws, contracts, and administrative procedures.[8]

Teachers unions are particularly successful at perpetuating their advantages. School board mem-

bers and superintendents are desperate to keep schools operating, so they are particularly vulnerable to threats of strikes. In a time when funding is stagnant, unions agree to forego wage increases in return for greater teacher job security and increasing union control over work rules. These actions reduce schools' flexibility and force administrators and other teachers to work around employees who, though not outrageously bad, are not particularly good either. These arrangements have costs in terms of school effectiveness, but they are hard to measure. In some cases, districts will assign teachers whom no school wants to work with to the central office. This reduces the burdens on schools, but it also costs money.

School boards are also vulnerable to demands from organized parent groups, which seek special programs in some schools or advocate for district-wide programs for particular students (e.g. the gifted). These programs then become entitlements whose costs are not clearly tracked, and whose effectiveness is not overtly compared with other possible uses. These entitlements cost money, and they also have equity consequences: As Marguerite Roza and Karen Hawley-Miles have found, such district-approved programs channel funds disproportionately to schools in higher-income neighborhoods, where the influential parents live.[9]

With respect to the *trap of opaqueness*, school district activities are confusing and far from transparent. This would be true even if district leaders desperately wanted to make their use of funds public—multiple state and federal funding sources, each requiring its own methods of accounting, make it very difficult to account for all the money that comes into a district, and where it goes. Universal district practices exacerbate the problem: Budgets are kept in large categories, like personnel and transportation services, so that it is difficult to know either what a given function costs or how benefits are allocated among schools and students. Reform superintendents like Alan Bersin of San Diego are trying to reverse these practices, so they can find money for needed investments. Bersin has found, however, that it is extremely difficult to figure out what a particular central office service costs, much less to determine whether it could be done more effectively.

The well-publicized tribulations of Seattle Superintendent Joseph Olchefske, a former investment banker who was embarrassed by accounting mistakes that hid an 8 percent deficit in the 2002-2003 budget, are a case in point. The budget was so opaque that even an expert was unable to monitor it efficiently. Neither the superintendent nor the school board understood on what assumptions the budget was made, and how cash flows matched those assumptions. This is true despite Seattle's movement toward a student-weighted funding formula, which transfers funds to school accounts on a per-pupil basis. Those accounts were muddy because of things like teacher cost averaging and especially because of shell games played in the central office. How true must this be in a district that has not tried to make any of its budgets transparent?

With respect to the *trap of false certainty*, political decisionmaking makes it inevitable. Political leaders or advocacy groups that favor a particular course of action are driven by competition to minimize its costs and the difficulty of implementing it, and exaggerate its likely effectiveness. When different interests are competing for scarce resources—money, administrative attention, and recognition as a top priority—admission of uncertainty is a losing strategy. Advocates of a course of action must be more forceful and more positive than their competitors. As a result, newly adopted policies are introduced with words like, "We have it right this time."

Aside from gaining an advantage over competitors, leaders favoring a particular policy have little incentive to think through the many implementation problems that might derail an initiative, or closely monitor preliminary results. With a sure-fire initiative, there is no need to ask whether the intermediate steps—the actions that must intervene between declaration of a policy and ultimate effects on classrooms and students—are actually taken. Nor is it necessary to set up a data system to sound an alert when reality strays from expectations.

It is easy to imagine a lot of actions that might make schools more effective. Unfortunately, actions that make intuitive sense often don't work. It makes sense to favor investments in in-service teacher training on the grounds that better teachers are fundamental to better schools. Unfortunately, teacher training often does not work, for many reasons—poor match between training and skills deficits, lack of incentives for teachers to use what they learn, teachers using their new skills to get jobs in other schools, etc. Similarly, more funding, new technology, new instructional materials, and even better

health or social services are all plausible approaches to improving student learning, but they often have disappointing results.

Avoiding the Traps

School districts are not the only entities menaced by such traps. Any organization that dispenses large numbers of jobs, administers services to beneficiaries with diverse needs, and is subject to close political oversight can become burdened by entitlements, opaqueness, and false certainty. (Take, for example, public welfare agencies and city service organizations.) However, public school districts receive money from more sources, spend more money, and hire more people than other local agencies. They are also the most subject to close political oversight, both because competing beneficiary groups are well organized (e.g., the parents of gifted vs. disabled children), and because the technologies they employ are so uncertain. There is no professional consensus about how best to run a school or teach a particular child (e.g., whether phonics or whole-word approaches to reading instruction are best) so groups with different preferences compete politically.

Not all school districts are equally likely to fall into these traps. Districts with homogenous and advantaged student populations are subject to less group conflict and rely less on external funders. Districts that can raise a great deal of money locally can also afford to provide something for everyone, such that at the high school level their course offerings can be as diverse as those at small community colleges.

However, large urban school districts lack these advantages: Their funding, though generous by world standards, is small relative to the numbers of claims on it, and they are subject to many political agendas including those of parent groups, unions, individual school board members, churches, and political clubs "networked" into the central office.

Large urban districts are also closely overseen by citywide business and political elites, which can intensify political oversight and, by pressing for quick solutions to deep problems, can drive the district into the trap of false certainty. (I have written elsewhere about how pressure from business elites that want a quick fix for the schools can fuel a "politics of hope," in which a series of plausible but poorly thought-through initiatives is tried, each for one or two years until its apparent failure leads to adoption of a new initiative).[10] Unfortunately, there are strong incentives for influential people to choose plausible courses of action whether or not they are likely to work. Civic and business leaders, who have other jobs, are eager to set schools on the right course and then move on to something else.

Can big-city schools escape these traps so that public schools can be overseen on the basis of performance? The remainder of this paper will argue that the correct answer is yes, but only with great difficulty—that easy measures won't work and effective ones must involve structural changes that will inconvenience many adults even as they benefit children.

No matter how a board is selected, if it is possible for any board members to get jobs and contracts for friends, or to build support via grandstanding, some will do so—even if other members resist temptation, resources are diverted, schools burdened, and intra-board working relationships are disrupted. Thus, deeper changes are needed. The following section will develop three principles on which a fundamentally different governance system for big-city schools can be based:

- Locate decisionmaking as near to the child as possible;
- Make everything—including the existence of individual schools and the continuation of the school board itself—contingent on performance; and
- Limit the scope of board actions constitutionally.

How the Missions and Activities of School Boards Must Change

No system of incentives can entirely eliminate the need for good behavior and personal integrity. But structure and incentives matter. If school board members have no opportunity to steer jobs toward friends and supporters, the time and energy spent on patronage will decline. If school board members lack authority to intervene in the operation of schools on behalf of individual constituents, they are likely to spend less time on casework. If state and federal governments do not require school boards to develop separate administrative mechanisms for each of dozens of state and federal pro-

grams, boards' attention will not be drawn in so many directions. Under those circumstances, school boards will still be free to be unfocused and ineffectual, but they will not be driven in those directions by law and policy.

The key to changing school boards' missions lies with the state government. Inspired groups of school board members can agree to fight the pressures toward fragmentation, as did the Houston board members who wrote and followed the principles in *Beliefs and Visions*, Houston's reform plan.[11] But such combinations of people are rare, and even when they arise, they last only so long. School boards are truly creatures of the state, and state law sets their basic tendencies.

The school, not the classroom or the district, is the real delivery system for instruction. The school is what ensures, or fails to ensure, that students' learning accumulates over time and that students who are not learning in a particular situation get special attention.

Decisionmaking Near the Child

Big-city school systems educate an extremely diverse population. It is common for them to serve students who have come to the United States from more than 100 countries and who speak more than 50 languages. Even the American-born children they serve range from the least advantaged—children of teenage parents who themselves never fully learned to read or do arithmetic—to the most advantaged—children of wealthy parents, both of whom parents hold advanced degrees. A given district can include schools whose children are all previously unschooled immigrants and schools whose children all have "legacy" claims on admission to competitive colleges.

Schools are also very differently staffed. Roza and Hawley show that some schools' teacher forces are highly experienced and have long histories of working together, while other schools have predominantly new teachers who expect to go elsewhere as soon as they gain one or two years' seniority.[12]

In this situation, standardization across a district is impossible. Many schools are literally unique, and rules or investments made for some image of the "typical school" do not work for them at all. There is no substitute for thoughtful diagnosis and problem solving focused on the individual school.

This does not have to mean that every school is on its own. Schools need ideas from elsewhere, and access to thoughtfully developed methods and materials that they can adapt to their children's needs. School districts can help find and purchase these materials, but—lacking evidence that one set of methods or materials is best in all cases—they should not force all schools to do the same things in the same way.

Other important truths about schools have implications for the roles of school boards. The first is that schools must be capable of coordinating children's learning experience, so that their knowledge and skills increase smoothly over time. This is more difficult than it sounds: Different teachers approach material differently, and teachers of subsequent courses can find it difficult to know where to start. This problem can be particularly acute between grade levels, say between second and third grade. A third grade teacher who cannot figure out what her incoming children know often responds by going back to basic first grade skills. As Bryk and others have demonstrated, this is why children in some schools spend much of their time in review and have little opportunity to learn the material expected of their grade level. Schools whose leaders cannot foster effective coordination among teachers, or whose teaching staff turns over so fast that coordination is impossible, cannot teach children everything they need to know.

The second truth is that schools need to be communities. This is so because long and comfortable association among teachers both promotes coordination of instruction and allows faculty to know children as individuals, and take account of the family and emotional events that can affect learning. Schools whose teaching staffs turn over frequently, or that are forced to employ teachers whose skills and attitudes are incompatible with those of the rest of the staff, cannot build or keep communities.

The school, not the classroom or the district, is the real delivery system for instruction. The school is what ensures, or fails to ensure, that students' learning accumulates over time and that students who are not learning in a particular situation get special attention.

Schools are, however, slippery fish from the perspective of school boards. School boards can directly control what programs are allocated to a school, what teachers are hired by the district, the

rules that determine who has access to what jobs, and policies about transportation, food service, and maintenance. Compared to these concrete and easily controlled items, schools are complex and reactive organisms. No one can cause a school to improve just by ordering it to do so, and many things that can be done "to" a school have a high probability of making it worse.

Unfortunately, many of the things school boards can easily do have unpredictable, or in some cases predictably bad, consequences for schools. Moreover, school boards can do few things that have predictably good effects on schools. Increasing investment in district-wide teacher training has unpredictable effects: For an individual school, everything depends on whether the training made available is related to the problem the school needs to solve. For the worst performing school, the value of teacher training also depends on whether the trained teachers stay in their jobs or leave for other schools, forcing the school to hire new teachers who have not had the training.

Forcing schools to accept teachers whom the principal and staff do not want to work with has predictably bad effects. Likewise, maintaining funding systems that give the neediest schools less money than other schools also has predictably bad effects.

School boards can do things that help schools, but only when prescriptions match needs. For example, the Rochester school board has approved incentives that encourage experienced teachers to work in schools serving the most disadvantaged children. This gives schools new opportunities, but does not force them to take particular individuals. Another example: The Houston school board, on learning from Superintendent Rod Paige that many elementary schools had no detectable approach to reading instruction, mandated use of Open Court, a highly structured method. According to Marci Kanstoroom, this has had positive effects on district-wide reading performance.[13] However, the Houston board did not mandate an approach to arithmetic instruction, both because many schools were improving via their own methods and because the board was not confident that any packaged method was especially effective.

As this is written, many school boards are struggling with state and federal mandates to improve their lowest performing schools. Many adopt the comfortable logic, "if we are being held accountable for something we had better control it." Unfortunately, that does not work with schools, any more than it does with any enterprise in which problems must be solved at the point of delivery. For example, it is possible for scientific institutions to help researchers by providing the best equipment, and to improve productivity through incentives, but it would not be productive to force scientists to do the same thing at the same time every day. It is possible for the National Institutes of Health or even insurance companies to improve treatment of particular diseases, but they do so by providing information and incentives, not control. In all these cases, it is easy for hierarchically superior organizations (school boards, managers of scientific institutions, NIH, insurance companies, etc.) to err on the side of too much control.

School districts need to solve the problem of helping schools to perform well without creating, via their help, just another burden or distraction from the work schools must do.

School districts need to solve the problem of helping schools to perform well without creating, via their help, just another burden or distraction from the work schools must do. The next two sections suggest how school boards can be re-oriented to that task.

Performance Contingencies

School boards face one certainty and one uncertainty. The certainty is that they cannot, by imposing general prescriptions, make all schools effective. The uncertainty is that they do not know for sure what it will take to provide effective schools for all poor and disadvantaged children.

Though it is possible to find some schools that educate disadvantaged children effectively, and even to catalog the attributes those schools have in common, it is extremely difficult to create those attributes in schools that have become ineffective. Efforts to do so are often thwarted by bad implementation (e.g., by assembling a new staff for a school late in the summer when there are only a few days for planning before students arrive), or by compromises that prevent fundamental change (e.g. guarantees that the teachers in a school will be able to keep their positions).

It is also difficult to start an effective new school. Though individuals have started many of the most effective inner-city schools from scratch with a specific plan in mind, many new schools go through years of shakedown before they are effective, and some never make it. Tom Loveless' recent report on the performance of new charter schools is both promising and sobering.[14] On average, new charter schools do not perform as well as district-run public schools serving similar students until they have run for nearly three years. Some charter schools start out well, but most take time.

In light of uncertainties about whether a given school improvement initiative will work, how should school boards operate? The only sensible answer is that they should hedge against uncertainty, by taking many plausible actions (starting some new schools and trying to transform some existing ones) and prune their portfolio frequently. This means distinguishing the promising initiatives from the ones that are not getting anywhere and abandoning the failures, while always starting new initiatives.

This process need not be random. As districts learn about how the more effective initiatives work, they can try to imitate them, even to the extent of "hiving off" staffers from a school that is improving and letting them start another one. There are, moreover, some general principles about starting effective schools that districts generally ignore because they infringe on adult entitlements. Here is one simple formulation of these principles:[15]

- Start with one or a few individuals who have ideas about what students should know, what habits and values they should have, and what school-provided experiences will promote these goals.

- Make the school's core ideas as explicit as possible so that newcomers (both teachers and families) can understand them and members of the school community can talk with one another about them.

- Build a tradition of strong leadership, with responsibility to sustain the school's core principles through hiring, staff training, and relations with parents and students.

- Ensure that the school has control of funds and key decisions about hiring and teaching methods.

These principles are *necessary* starting points for districts hoping to foster development of new schools. But they are not *sufficient* in themselves. To make and keep an effective school, leaders need to exercise great skill and have some good luck, for example finding the right teachers and recruiting parents who take the time to understand what the school can and cannot do. Thus, even when districts operate on the best principles, they can expect to have failures and to sustain the "starting-and-pruning" process indefinitely.

The starting-and-pruning process is a foreign idea to most school boards. They assume that schools are permanent and that the only plausible approach to a troubled school is to pour resources into it. The starting-and-pruning process is possible only if boards and district central offices crawl out of the trap of entitlements and discipline all their actions on the basis of performance.

This is a demanding requirement, and few school boards can meet it. Because they are not accustomed to closing schools no matter how badly they perform, boards and district central offices have not developed the capacity to judge whether or not a given school is capable of improvement. These judgments are demanding, because two schools at the same absolute performance level might be on very different trajectories, one only getting worse and the other steadily getting better. Though boards have not developed capacity for making such judgments, the ability is not beyond human competence: businesses must make such judgements about product lines and remote operating units all the time.

Though the foregoing ideas sound novel and challenging, they are not new. Standards-based reform, which most states enacted nearly 10 years ago, requires districts to judge schools and ensure that no child is stuck in one that cannot help her achieve at set minimum levels. More recently, the federal No Child Left Behind Act has required districts to judge schools and ensure that children in failing schools get real options.

These requirements notwithstanding, most districts are not prepared to perform these new functions. Many also resist these changes, claiming that their schools are all just fine or that the tests used as initial screeners on school performance are invalid.

This is not the place to plunge into the dispute about testing, except to say that people who claim there is no way to judge schools ignore two facts. First, the scores on virtually all achievement tests are highly correlated, so that students who get low scores on one test are highly likely to get low scores

on another. Second, the students who get low scores on these tests are much less likely to be able to do normal high school work, graduate from high school, and attend and finish a four-year college. Because of the high correlation between school attainment and income, students who get low scores on tests are likely to earn much less in their lifetimes than students who get high scores. Thus, the tests used by most states and districts do not create barriers for disadvantaged students; they only identify low performance, which is the real threat to children's futures.

Those who object to having one test on one day decide a child's future are right—many extraneous factors can affect a particular score. However, tests are much more accurate as a measure of average performance, and trends based on scores from hundreds of students are much more meaningful. The state and federal policies that require districts to judge schools allow multiple measures of performance. Moreover, school boards that accept responsibility for judging schools and creating alternatives in failing cases could add their own assessments—for example, by independent assessment teams or experts with track records of turning around failed schools—as the final basis of judgment. Federal and state program administrators will be too busy with districts that try to evade the requirements to bother districts that find reasonable ways of working with them.

School boards are creatures of the state government, which has constitutional responsibility for education. Despite the popular view that school boards are products of local civic democracy, their real origin and design derive from state law.

Performance Contingencies for School Boards, Too

There will be school boards that cannot change their habits and will not adopt a starting-and-pruning approach to schools, and others that try to implement the approach but cannot manage it. In such cases, those districts should also be subject to performance-based contingency. Just as schools should not be allowed to continue indefinitely miseducating their students, so should school districts' powers—and their very existence—depend on performance.

How might this be done? The No Child Left Behind Act has taken a step toward performance contingency for school districts by requiring that students in failing schools be offered options. Some of the states with charter school laws have also created a sort of performance contingency, allowing groups that cannot win charters from their local district to apply elsewhere (e.g., to state universities or the state department of education). California and Arizona charter laws also allow districts to charter schools that will operate in other districts' territories. However, these charter-based options are not tightly tied to districts' performance in providing schools. The initiative for creating charter schools lies with parent and community groups, and the number of charter applications can reflect those groups' agendas rather than local districts' performance. Thus, districts working effectively to improve their worst schools might nonetheless have many groups trying to start charters, and negligent districts might have none.

In creating performance-based contingencies for school boards, there is no substitute for action by the state government. School boards are creatures of the state government, which have constitutional responsibility for education. Despite the popular view that school boards are products of local civic democracy, their real origin and design derive from state law.

Citizen voting rights notwithstanding, states have the power to create, eliminate, abolish, combine, and re-mission school boards, and also to alter the ways members are selected. Some states (e.g., New Jersey) have taken over districts and put them in the hands of state department of education staff, and others (e.g., Ohio, Illinois, Massachusetts, and Michigan) have disbanded elected school boards and assigned responsibility for public education to the mayor. State governments justified these actions in terms of their direct responsibility for children's education, saying that their chosen instrument, the elected local school board, had failed to perform.

In most of the latter cases, mayors have appointed school boards and superintendents. States often give local citizens a chance to vote on whether to restore an elected school board in a few years. Recently, the voters of Cleveland decided to leave schools in the mayor's hands.

States can do more than merely intervene in intolerable situations. They can also create transparent performance contingencies that apply to all districts all the time. Four methods are possible:

- ***Creating a system of district charters, under which a school board must have its authority renewed every five years.*** Boards that fail to meet their performance goals are not eligible for renewal, and alternative groups can always challenge for the charter.

- ***Encouraging rapid formation of charter schools to ensure that districts face strong competition for students.***

- ***Fostering competition among districts, by allowing districts to operate schools in one another's territory.*** One proposal, recently made in Oregon, would require the state to put every school in a low-performing district up for bidding among neighboring school districts every five years.

- ***Creating competing school boards within a locality, either by authorizing two or more school boards to serve an area now served by one, or by creating multiple boards able to operate anywhere in a broad area, for example, a large metropolitan county.***[16]

Any of these options would utterly transform school boards' missions and change their focus from dividing up resources assuredly available to competing to make sure they could get and keep students and the funds they bring.

The final example, competition among school boards, is probably the least familiar to readers. Here is how it would work: Local voters could elect two or more independent school boards, or one could be elected citywide and the other appointed, e.g. by the mayor. Something like this was done for charter schools in Washington, D.C., where both the elected local school board and a special charter board were authorized to charter schools anywhere in the city. Though the two boards operated very differently—and the existing elected board remained dominated by patronage and ethnic politics—in itself the existence of two boards caused few problems. A 1996 Education Commission of the States report, *Bending Without Breaking*, suggests ways new boards could be introduced gradually, incrementally taking over management of an entire local school district from an existing board.[17]

In the conclusion, I will say more about which of these works best and how they can be combined with decisionmaking near the child and constitutional limits on school boards.

Constitutional Limits on School Boards

There are no practical limits on school board powers. They own the district, hire the superintendent and all staff, decide how money will be spent, and in some cases even set schedules and buy textbooks. It is no surprise then that many school board members are "into everything," micromanaging, intervening in schools on behalf of constituents, joining with other board members to issue new policies, and forming alliances with central office staff to obstruct initiatives they do not like.

Though some boards discipline themselves, deliberately staying out of issues they have delegated to the superintendent or individual schools, these actions depend entirely on board members' goodwill. Don McAdams has shown how Houston's school board disciplined itself to sustain a reform strategy over many years. In 1995, a board retreat produced agreements on a basic reform strategy and vision for the board's role, which were recorded in a public document, *Beliefs and Visions*. In subsequent years, it took strong leadership and determined efforts to socialize new board members into norms of collegiality and consistency. School board members Don McAdams, Rod Paige, and others worked hard to maintain the board's focus. They knew that a few board members who start grandstanding or intervening in daily events can break down others' self-restraint: The interveners gain points with constituents and often have tangible influence on district actions. As I have argued elsewhere, there is a Gresham's law in school board actions: Narrow, self-seeking actions drive out disciplined focus on strategy.

No question about it, interventionist- and patronage-oriented school boards can be major barriers to reform and improvement of big-city school systems. Discord among board members is a major source of superintendent turnover and a major cause of premature abandonment of reform initiatives.[18] Individual board members can also undercut a superintendent's initiatives by working via back channels with central office staff.[19] Patronage-

based assignments of principals and central office staff members can both disrupt district initiatives and cause bitterness at the school level.[20] Finally, a constant flow of new policies can disrupt school-level reform efforts, frustrate teachers, and weaken—as well as humiliate—principals.[21] Even the most reliable supporters of public education—local philanthropies dedicated to supporting the district—are being driven by board inconstancy to withhold financial support.[12]

Studies by Roza and Hawley Miles have also demonstrated how board politics drives the use of funds.[23] In preliminary studies of three major cities, they found that the per-pupil funding in some schools is as much as three times higher than others. Moreover, these differences generally favor schools serving wealthier and whiter students, in part because higher-paid teachers cluster in these schools and in part because boards are more likely to locate special assets—nurses, art programs, etc.—in schools serving better-off students. There is no reason to think that boards make these allocations consciously. In fact, board members usually think lower-income schools have the most money, because federal and state categorical funds are not sufficient to overcome big differences in district spending, which are consequences of small decisions made one-by-one under political pressure.[24] But the strongest sources of pressure are advantaged parents and the senior teachers who benefit most from union contract provisions.

Not every big-city district suffers from all these problems, but many do. The Houston story shows that school boards can focus and avoid disrupting schools and district reform initiatives, but only under extraordinary leadership. It is unlikely that either McAdams or Paige could have held the board together without the other.

Heroic local leadership is good. So is training of new board members—such as the program being developed by the Broad Institute on School Boards—to help them understand the importance of responsible oversight and the harms of self-aggrandizing intervention. But great leadership arises only sporadically, and well-trained board members often cannot influence their colleagues who did not get—or deliberately avoided—the training.

In light of the harm that chaotic, patronage-focused school boards can do, it does not make sense to rely solely on leadership and training. Those measures will work occasionally, but they must constantly fight the reality that board members not only have the power to disrupt schools, but can also gain personally from doing so. The only reliable approach to this problem is to redefine school boards' basic mission and powers. The simplest way to do this is to take away the board powers that lead to the greatest disruption—the power to hire and assign staff and reallocate funds among schools—while retaining the one power that communities most need boards to exercise—ensuring that there is a school for every child and that no child is stuck in a school that cannot provide good instruction.

In light of the harm that chaotic, patronage-focused school boards can do, it does not make sense to rely solely on leadership and training.

This is not the first publication to recommend such a change in school boards' constitutional powers. Numerous national commissions and other publications have called for reinventing school boards, by limiting their power to micromanage and clarifying their duty to oversee the portfolio of schools available in their community. For example, the Democratic Leadership Council is on record in favor of "charter" districts. In charter districts, school boards would operate by entering agreements with individual schools about how they will be funded and what performance they must demonstrate. Boards would not be the employers of teachers and principals, and they could not tell a parent that she must send her child to a particular school.

The agreements boards enter with schools would be binding for both parties; so as long as a school is fulfilling its part of the bargain, the board could not impose new requirements on it. An enforceable two-way agreement between a district and a school would be a major innovation. In traditional school systems, an agreement between a board and individual school (e.g., to operate a particular program, use funds in a particular way, select teachers, etc.) is good only as long as a majority of board members support it. If a new majority does not support the arrangement, the school has no rights, even if it is fulfilling all the agreed-to terms. That is why proposals to define boards' powers in this way include a provision that all public schools will become independent legal entities, able to receive

funds, enter contracts, and assert contractual rights in court.[25]

The roles of district administrators would also be limited to writing checks to schools, commissioning school performance assessments, and advising the school board about how to replace failing schools. Schools would be bound only by their resource and performance agreements and by basic rules about equity in admissions and student services. Schools would be free to hire, assign, and fire staff, and decide how to use time, money, materials, and technology.[26] Parents would be empowered, both because they could choose schools and because their choice would have real financial consequences—schools would be funded according to the numbers of children they enroll.

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These changes require more than acceptance by local boards. They must be founded on state legislation that re-missions local boards.

Despite widespread recognition of the need for such a "constitutional" change, movement toward it has been slow. One impediment has been concern about what such a change would do to representative democracy. Board members and citizen groups argue that limiting boards' power reduces voters' influence. Another impediment has been resistance from groups whose own powers derive from the board's ability to make policies that determine what will happen throughout the district. Unions and members of highly effective interest groups (e.g. the parents of gifted children) do not want boards' powers narrowed, and they, too, argue on behalf of voters' rights.

Voters' rights matter, no question about it. Most states that have dismissed elected boards have eventually given voters choices about whether to elect board members in the future. Regardless of how the voting issue is handled, limitations on government powers are nothing new—in fact, they are probably the invention that made stable democracy in the United States possible. Constitutional limitations limit voters in the sense that they make it impossible even for a legislature backed by a huge electoral majority to override certain rights or to act without due process. In the bargain, constitutional limitations also protect voters from predictable harm. In the case of school boards, the harm can be ineffective schools and diversions of resources toward those who know how to "work the system."

Some critics have also complained that such constitutional limits on board powers deprive citizens of a channel for redress of grievances. If boards cannot intervene in schools, they ask, where will a parent go with a complaint about a negative school climate or an individual teacher? One answer is that such a parent will have more leverage because he or she is free to choose another school. Some additional arrangement—an ombudsman perhaps—might also be necessary. In any case, returning the power to intervene to board members on behalf of vocal constituents throws the dirty bathwater back onto the baby, inviting a return to politicized and chaotic board behavior.

Limiting board powers can make them less able to respond to pressure campaigns and the demands of powerful groups. If boards do not employ teachers or principals, board members have fewer opportunities for patronage appointments. They also have no power to enter labor contracts that weaken school leadership by imposing new rules about teacher duties and assignments. If boards cannot unilaterally impose new requirements on schools, board members have fewer opportunities to intervene in schools' day-to-day operations. If boards are required to allocate money transparently on a per-pupil basis, they have no opportunity to create secret subsidies for the children of influential parents.

Boards whose powers are subject to constitutional limits are not impotent. They can use the one power they have—to authorize a school to receive public funds—to set basic performance requirements, encourage formation and dissolution of schools, and call attention to schools that consistently under-perform. That is a great deal of power, more than they now exercise. And, it is applied to the main business of the public school system, not to patronage and other peripheral issues. With these constitutional limits, school boards have only a few

powers, but as Harry Truman said about the House of Representatives' power of the purse, it is enough.

How These Principles Reinforce One Another

The three principles discussed in this section complement one another. The principle of decisionmaking near the child means that decisions about hiring, staff preparation, technology, and use of time and money are located at the school level. The principle of constitutional limits on school boards means that boards cannot make new rules whenever they please or reassign staff or students to schools that are operating as promised. But it also means that boards have ample power to withhold public funds from a failing school, to encourage formation of new schools to serve children whose schools are failing them, and to put pressure on schools whose performance is marginal. The principle of performance contingency means that no school is entitled to continue operating, whether or not it serves students well. It also means that school boards themselves are subject to performance pressure, needing to justify their own continued existence on the basis of school performance. School boards that cannot find a way to replace failed schools, or whose policies are so aversive to teachers and principles that professionals avoid working for them, will lose out to competitors.[27]

These principles overcome the three traps of entitlement, opaqueness, and false certainty by:

- Making everyone's job and powers depend on performance, not resumé or tenure;
- Making money flow transparently from the state to the school based on enrollment, and from the school to vendors, including the district office, on a voluntary fee-for-service basis; and
- Ensuring that schools and school boards compete on the basis of actual performance, not on patronage claims and emotional appeals.

Taken together these principles structure a system in which families and teachers have options, schools have a good balance of accountability and freedom of action, and school boards have greater powers but fewer temptations.

Taken together these principles structure a system in which families and teachers have options, schools have a good balance of accountability and freedom of action, and school boards have greater powers but fewer temptations. It is also a system under which the state has a well-defined and challenging role (overseeing district performance) and voters have real choices, sometimes including the ability to elect more than one school board to provide local schools.

The final section analyzes ways these principles can be combined into practical models for school boards.

Conclusion: Practical Models

Table 1 illustrates governance alternatives. Because most of them require changes in state laws and state agency roles, it includes information about state- and local-level changes. It is possible for localities to move part-way toward some of these models on their own initiative, as discussed further below.

All but one of the cells in Table 1 describes a distinct governance system. (The exception is Cell 3, which is logically impossible.) In Cells 1, 4, 6, and 7, the local board operates via performance agreements with individual schools. In Cell 1, the local board is the exclusive authorizer of public schools in its area, whereas in Cells 4 and 6, the local board enters performance agreements with only a fraction of the schools, and one or more rival boards also oversee some schools.

In Cells 2 and 5, local boards must compete with charter schools, which they must charter if applicants meet criteria set by the state, or which can be chartered by other school boards or state agencies. In Cells 8 and 9, competition is wide open: Multiple boards can authorize schools, and all students are free to transfer to charter and private schools.

Table 2, taken from an earlier publication by the author,[28] describes the roles of local boards in more detail. It collapses the columns of Table 1, comparing boards with exclusive rights to a geographic area with boards that must compete with other boards, as well as with charter or private schools. The left column of Table 2 describes responsibilities entrusted to performance-based school boards, while the middle and right columns describe how those responsibilities would be manifested under two new alternative governance models.

As Table 2 shows, forcing school boards to compete would not totally eliminate their current main functions, but the manner in which those functions were performed would almost certainly change. For example, school boards would want superintendents to attend to daily operations and to propose ways of improving school quality. However, under competitive conditions, the superintendent's job would be focused on identifying and proposing responses to threats and opportunities.[29]

Which of these alternative governance schemes is best? The answer is that everything depends, in part on local politics and in part on whether any local entity other than the current school board has the capacity to create and manage schools.

What depends on local politics. In localities where the dominant educational interest groups—the teachers union, school boards, the central office, and the business community—are unwilling to change anything on their own initiative, state action to change board powers must fuel transformation. State action mandating competition with other schools or creation of competing school boards (the

Table 1: Governance Options as Defined by Local Board and State Roles

State-Defined Role for School Boards	Local Board Roles		
	Enter agreements with all schools	*Compete with charters (or with both charters and Private schools)*	*Compete with other boards in the same area*
Performance agreements with exclusive local boards	1	2	3
Performance agreements with multiple boards in one area	4	5	6
Portable funding for all students	7	8	9

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Table 2: Comparisons of Board Missions Under Two New Governance Models

Board Responsibilities	Alternative Governance Models	
	Charter/ContractSchool District Board with "Exclusive" Power to Provide Schools in a Locality	*School Board Competing with Other Boards or Schools*
Set Achievement Standards	Set limited district standards within state standards	Set limited standards based on state/district standards
Define Methods for Measuring Student Progress toward Achievement Standards	Use school contracts to define methods	Define methods differently depending on competition and parent demand
Gather/Analyze Data on Student, School, District, Board Performance	Done by independent evaluator	Done by district
Hire and Supervise a Superintendent	Board's main mission, though choice is driven by need to compete effectively	Board's main mission, though choice is driven by need to compete effectively
Authorize New Schools	Authorizes new schools to meet community needs but does not operate schools	Start new schools based on market demand and opportunity
Intervene with Failing Schools	Establish interventions or terminate contracts with failing schools	Prune portfolio to maintain Board's reputation.
Control School-level Budget/Resources	Give schools total control	Vary control with school need and capacity
Choose Curriculum and Instructional Methods	Set by schools	Vary with school need and capacity
Design Professional Development Plans	Set by schools	Vary with school need and capacity
Recruit Teachers/Principals and Negotiate Contracts for School Professional Staff	Allow schools to enter labor contracts, offer limited recruitment help	Allow schools to determine size and composition of teaching force
Negotiate Contracts for Support Staff	Set by individual schools	Variable according to performance
Establish Grievance Procedures for Staff and Constituents	Mostly controlled by schools	Managed at school level

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right column of Table 2) is necessary. In a locality where all parties are earnestly seeking a better way to oversee schools, the more modest grant of authority in the middle column, essentially re-authorizing the school board as a chartering agency, might be sufficient.

What depends on local capacity. In localities with low-performing schools and few educational alternatives outside the school district, the school board must be re-missioned to stimulate a new supply of schools. State action encouraging alternative school providers is necessary. The right column is best, and the middle column is second best. However, the middle column is best in a locality that has many low-performing public schools, but also has many alternative providers of schools—youth service agencies like the YMCA, colleges and universities, inter-faith alliances that could join to create schools, businesses with extensive training experience—and large numbers of college-educated people who might be attracted to teaching and school leadership.

The middle column is probably best for economically and culturally rich cities like Cincinnati, San Francisco, Miami, and Chicago. The right column is probably best for poorer cities and districts like El Paso, East St. Louis, and Compton.

Who Needs To Take The First Step

State standards-based reform laws should have provided the impetus for such changes, but most failed to do so because their provisions on accountability for school performance were never implemented. School boards, never intended as close stewards of school performance, continued doing business as usual. However, the No Child Left Behind Act creates a new and much more potent version of school performance accountability. It is the warrant for strong action by state and local leaders frustrated with weak school board action.

At the local level, superintendents and dissident board members have a new basis on which to press boards to get beyond their preoccupation with jobs and constituent casework. Coalitions with minority group leaders concerned about the minority-white achievement gap, and with business leaders concerned about labor force quality, might force some changes.

However, local action is unlikely to succeed unless state and federal officials make it necessary. Governors and chief state school officers can both issue guidance to local boards and initiate legislative changes such as those suggested above, all justified as responses to the No Child Left Behind Act.

At the federal level, Secretary Rod Paige has already taken the first step, making it clear that the Department of Education will press for performance and use all the authority the No Child Left Behind Act gives it. A big additional step would be to convene governors and state agency leaders to explain how options such as those developed here would enable districts with many low-performing schools to build new capacities and serve their children more effectively.

Finally, the political parties also have steps to take: the Democrats to insist that their support of unions is not absolute but conditional on the unions' cooperation with serious changes in local board roles; and the Republicans to insist that business and foundation commitment needs to extend beyond initiatives that are short-term and plausible, but geared to offend no one.

Endnotes

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[2] Elmore, Richard, *Bridging the Gap Between Standards and Achievement: The Imperative for Professional Development in Education*, The Albert Shanker Institute, Washington, D.C., 2002.

[3] Weatherly, Richard and M. Lipskey, "Street Level Bureaucrats And Institutional Innovation: Implementing Special Education Reform," *Harvard Education Review*, 47: 17-1197, 1977.

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[13] Kanstoroom, Marci, Balancing Act, *Education Next*, September 2001.

[14] Loveless, Tom, *The Brown Center Report on American Education 2002*, Brookings Institution, Washington, DC, 2002.

[15] See Newman, Fred M., BetsAnn Smith, Elaine Allensworth, and Anthony S. Bryk, *School Instructional Program Coherence: Benefits and Challenges*, Consortium on Chicago School Research, Chicago, Ill., 2001. See also Bryk, Anthony S. and Barbara Schneider, *Trust in Schools, A Core Resource for Improvement*, Russell Sage, New York, N.Y., 2002. See also Hill, Paul T., Gail E Foster and Tamar Gendler, "High Schools with Character," Santa Monica, RAND, 1990.

[16] I have described this option further elsewhere. See Hill, Paul T., Christine Campbell, Kelly Warner-King, et. al., *Big City School Boards: Problems and Options*, Seattle, Center on Reinventing Public Education, 2003.

[17] Pierce, Lawrence et. al., *Bending without Breaking: Improving Education Through Flexibility and Choice*, Education Commission of the States, Denver, Colo., 1996.

[18] See Fuller et. al., 203. See also Hill, Paul T., Christine Campbell, and James Harvey, *It Takes a City: Getting Serious About Urban School Reform*, Brookings Institution, Washington, D.C., 2000; and Hess, Frederick, *Spinning Wheels*, Brookings Institution, Washington, D.C., 1999.

[19] Fuller et. al 2003.

[20] Finding from focus groups conducted by the author in Philadelphia, sponsored by the Education Commission of the States, 1992.

[21] Based on focus groups in Seattle. Principal, "We are being told to lead our staffs first in one direction and then in another. It makes us look stupid. We are not stupid."

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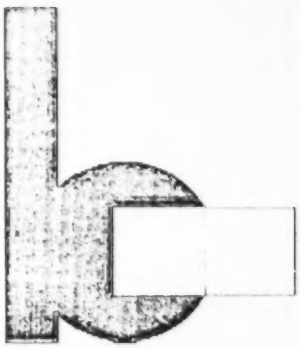
[22] See Galley, Michele, "Freeze on Grants Roils Pittsburgh District," *Education Week*, August 7, 2002.
[23] See Roza and Hawley, op. cit., 2003.
[24] Federal and state categorical funds are not supposed to compensate for inequalities in local spending, but many board members consider them in comparing programs at advantaged and disadvantaged schools.
[25] See, for example, Hill, Paul T., Lawrence Pierce and James Guthrie, *Reinventing Public Education: How Contracting Can Transform America's Schools*, University of Chicago Press, Chicago, Ill., 1997.
[26] See Hill, et. al. 1997. See also, National Commission on Governing America's Schools, Denver, Education Commission of the States, September 1999 ECS Governance Report. Hill, Paul T., *Charter School Districts*, Democratic Leadership Council, Washington D.C., 2001.
[27] Marguerite Roza and Susan Wishon have shown that most districts reporting shortages of principals are located in metropolitan areas where there are may qualified applicants. Their conclusion: Difficulties finding principals are more due to a particular district's weak appeal, rather than to any general shortage of people trained for principalship. See Roza, Marguerite, and Susan Wishon, *A Problem of Definition: Is there Truly a Shortage of School Principals?*, Center on Reinventing Public Education, Seattle, 2003.
[28] Hill, Paul T., Christine Campbell, Kelly Warner-King, Meaghan McElroy, Isabel Munoz-Colon, and James Harvey, *Big City School Boards: Problems and Options*, The Annie E. Casey Foundation and the Center on Reinventing Public Education, Seattle, 2003.
[29] For a fresh look at the superintendency, and how competition and performance pressure affect the job, see Fuller, et. al. 2003.



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